

ment) or employer contributions toward such coverage were terminated.

"(D) Under the terms of the plan, the employee requests such enrollment not later than 30 days after the date of exhaustion of coverage described in subparagraph (C)(i) or termination of coverage or employer contribution described in subparagraph (C)(ii).

"(2) FOR DEPENDENT BENEFICIARIES.—

"(A) IN GENERAL.—If—

"(i) a group health plan makes coverage available with respect to a dependent of an individual.

"(ii) the individual is a participant under the plan (or has met any waiting period applicable to becoming a participant under the plan and is eligible to be enrolled under the plan but for a failure to enroll during a previous enrollment period), and

"(iii) a person becomes such a dependent of the individual through marriage, birth, or adoption or placement for adoption.

the group health plan shall provide for a dependent special enrollment period described in subparagraph (B) during which the person (or, if not otherwise enrolled, the individual) may be enrolled under the plan as a dependent of the individual, and in the case of the birth or adoption of a child, the spouse of the individual may be enrolled as a dependent of the individual if such spouse is otherwise eligible for coverage.

"(B) DEPENDENT SPECIAL ENROLLMENT PERIOD.—

A dependent special enrollment period under this subparagraph shall be a period of not less than 30 days and shall begin on the later of—

"(i) the date dependent coverage is made available, or

"(ii) the date of the marriage, birth, or adoption or placement for adoption (as the case may be) described in subparagraph (A)(iii).

"(C) NO WAITING PERIOD.—If an individual seeks to enroll a dependent during the first 30 days of such a dependent special enrollment period, the coverage of the dependent shall become effective—

"(i) in the case of marriage, not later

than the  
first day of the first month beginning  
after the date  
the completed request for enrollment is  
received:

"(ii) in the case of a dependent's birth,  
as of the  
date of such birth: or

"(iii) in the case of a dependent's  
adoption or place-  
ment for adoption, the date of such  
adoption or place-  
ment for adoption

**(c) USE OF AFFILIATION PERIOD BY HMOs AS  
ALTERNATIVE**

**TO PREEXISTING CONDITION EXCLUSION.**

"(1) IN GENERAL. In the case of a group health  
plan that  
offers medical care through health insurance  
coverage offered  
by a health maintenance organization, the plan  
may provide  
for an affiliation period with respect to coverage  
through the  
organization only if—

"(A) no preexisting condition exclusion is  
imposed with  
respect to coverage through the organization,